

**New Jersey Department of Health and Senior Services  
EARLY INTERVENTION PROCEDURAL SAFEGUARDS OFFICE  
P. O. Box 364  
Trenton, NJ 08625-0364  
Telephone (Toll Free): 877-258-6585      Fax: 609-292-0296**

**FORMAL DISPUTE RESOLUTION REQUEST**

Name of Individual/Organization Filing Complaint		Date
Address		
City		State      Zip Code
Child's Name (if applicable)		Child's Date of Birth (if applicable)
Telephone Number(s)	Fax Number(s)	Email Address (optional)

The Department of Health and Senior Services (DHSS) is committed to maximizing family involvement at each step of the New Jersey Early Intervention System. As part of ensuring the parents' involvement in decision-making and maintaining the partnerships critical to the success of the program, DHSS encourages and recommends that all parties work together using informal means to resolve disagreements that may arise. Parent liaisons are available through the Procedural Safeguards Office to advise parents of their rights under the Early Intervention System and help them understand the options available to them when disputes arise.

The Early Intervention System recommends that parents work with staff from the Regional Early Intervention Collaboratives (REICs), service providers, and the parent liaison assigned by the system to address concerns in an attempt to avoid formal procedures whenever possible. If a family decides to request formal dispute resolution, or if the informal process does not adequately address the concerns of the parties involved, DHSS offers several options for formal resolution of disputes including mediation, impartial due process hearings, and administrative complaints.

The primary purpose of this form is to document the option selected that initiates the appropriate process to resolve any disagreement. Please provide the information requested on this form, sign, date, and return it to the Procedural Safeguards Office at the address listed above. Parents may request assistance in completing this form by contacting their REIC's staff and/or the Procedural Safeguards Office to access the state parent liaisons.

**FORMAL DISPUTE RESOLUTION OPTION(S) (Description of options attached)**

☐ Mediation Only

☐ Due Process Hearing

☐ Check here if you initially want to attempt to resolve the dispute through Mediation.

☐ Administrative Complaint

☐ Check here if you want to attempt to resolve the dispute through Mediation.

☐ Check here if you are requesting that your identify be kept confidential.

**FORMAL DISPUTE RESOLUTION REQUEST**  
**(Continued)**

<b>PROVIDER/ORGANIZATION DISPUTE FILED AGAINST</b>	
Name	
Address	
City	State                      Zip Code
Telephone Number	Email Address (optional)
Other Parties to Dispute (if applicable)	
<b>STATEMENT OF DISAGREEMENT</b>	
<p>Please provide a written description of the area(s) of disagreement (concerns related to the identification, evaluation and assessment, eligibility determination, placement of the child, provision of appropriate early intervention services to child or family, or alleged violation of Federal/State laws or state guidelines). Be as specific as possible.</p>	

**FORMAL DISPUTE RESOLUTION REQUEST**  
**(Continued)**

**FACTS SUPPORTING STATEMENT OF DISAGREEMENT**

Please provide a written description of the facts supporting your statement of disagreement and identify any pertinent information (i.e., IFSPs, written correspondence, evaluations/assessments) that may verify your concerns. Be as specific as possible.

**SOLUTION(S) TO AREA(S) OF CONCERN**

Please provide a written description of the steps that you would like to see taken to address your area(s) of concern. Be as specific as possible.

**FORMAL DISPUTE RESOLUTION REQUEST**  
**(Continued)**

Please list the dates and timeframes that you are available over the next two weeks if on page one you selected mediation and/or due process hearing.

Signature

Date

**DESCRIPTION OF OPTIONS**

Outlined below is a brief overview of the formal options available for resolving disagreements. A complete description of each of these procedures is contained in DHSS policies and procedures, the document "Guidelines for Procedural Safeguards in the New Jersey Early Intervention System" and the booklet entitled "Family Rights in the New Jersey Early Intervention System."

**MEDIATION**

Any parent or, with the consent of the parent, the parent's representative, the service coordinator, a service provider, or the REIC may request mediation to resolve disagreements regarding identification, evaluation and assessment, eligibility determination, placement or the provision of appropriate early intervention services for an individual child and family. The mediation process is non-adversarial and is a means to resolve disagreements to the mutual satisfaction of all parties. A parent may request mediation in addition to filing a request for an impartial hearing or a request for resolution of a complaint. The mediation process, including issuance of a written mediation agreement, shall be completed within 30 calendar days of the receipt of the request for mediation unless the mediation was requested as a part of a due process hearing or complaint investigation. In that case, the mediation must be completed within 15 calendar days to ensure adequate time for completion of the due process proceeding or complaint investigation.

**IMPARTIAL DUE PROCESS HEARING**

Any parent or, with the consent of the parent, the parent's representative may request an impartial hearing before an impartial hearing panel to resolve disagreements regarding identification, evaluation and assessment, eligibility determination, placement or the provision of appropriate early intervention services for an individual child and family. A parent may request an impartial hearing in addition to requesting mediation or filing a complaint. If a written complaint is received that is also the subject of a due process hearing, or contains multiple issues, of which one or more are part of that hearing, the state must set aside any part of the complaint that is being addressed in the due process hearing until the conclusion of the hearing. However, any issue in the complaint that is not part of the due process action must be resolved within the 60 calendar day timeline using the complaint procedures.

**ADMINISTRATIVE COMPLAINTS**

Any parent or the parent's representative, other individual, or organization, including an organization or individual from another state, may file a complaint with the Procedural Safeguards Office alleging that an early intervention program, service provider, service coordinator, REIC, the DHSS, or any other state agency involved in the early intervention system is violating or has violated a requirement of federal or state early intervention law or guideline. This complaint may allege a violation concerning an individual child or the child's family, or may be directed against a policy, pattern, or practice that is alleged to be a violation of federal or state intervention law or guideline. Any individual filing a complaint may request that his/her identity be kept confidential. The Procedural Safeguards Office will notify the individual if it is not possible to investigate the complaint while maintaining confidentiality of the complainant's identity. Within 60 calendar days of receipt of the complaint, unless exceptional circumstances exist with respect to a particular complaint, the Procedural Safeguards Office shall issue a written determination to the complainant and the named party(ies) which addresses each allegation in the complaint and findings of fact, conclusions and the reasons for the final decision of the Procedural Safeguards Office.